

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

YOUTH SERVICES & SPORTS – Establishment – Pensions – Sanction of superannuation pension to Smt.D.Sree Lakshmi, Senior Assistant, Sports Authority of Andhra Pradesh (Retired) – Implementation of the orders of Hon'ble High Court of A.P. in W.P.No.14962 of 2006, Dated 19-01-2010 – Orders – Issued.

YOUTH ADVANCEMENT, TOURISM & CULTURE (SPORTS) DEPARTMENT

G.O.Rt.No. 1050

Dated 27-10-2010

Read the following:

1. From the High Court of Andhra Pradesh Orders in W.P.No.14962/2006, Dated 19-01-2010.
2. From D.Sree Lakshmi, Senior Assistant, Sports Authority of Andhra Pradesh (Retired), representation, Dated 02-02-2010.
3. From the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh, Lr.No.SAAP/Accts/F2/PB/8370/2009, Dated 23-02-2010.
4. From the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh, Lr.No.SAAP/A3/1730/S/1999, Dated 29-03-2010.
5. From the Advocate for the petitioner contempt notice, Dated 03-05-2010.
6. From the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh, Lr.No.SAAP/Accts/F2/PB/8370/2009, Dated 19-05-2010.

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ORDER

Smt.D.Sree Lakshmi, was appointed as Library Assistant in Sports Authority of Andhra Pradesh on consolidated pay of Rs.750/- per month vide Proceeding of the Vice Chairman and Managing Director, Sports Authority of Andhra Pradesh Dt: 23-03-88. Subsequently, she was extended a scale of pay of Rs.910-30-1240-35-1625 w.e.f. 01-09-1992 in the post of Library Assistant. On 22-09-1997, she was promoted as Senior Assistant and retired from service on attaining the age of superannuation on 30-11-1997.

2. Aggrieved by the alleged action of not extending the retirement benefits including pension, Smt D.Sree Lakshmi, Senior Assistant (Retired), has filed a W.P.No.5365/2003 before the High Court of Andhra Pradesh for counting the service rendered by her on consolidated pay from 24-03-1988 to 31-08-1992 for the purpose of qualifying service and to sanction pensionary benefits. The said Writ Petition was disposed of by the Hon'ble High Court on 28-03-2003 with a direction to the Sports Authority of Andhra Pradesh to pass appropriate orders with regard to the claim of the petitioner for the retirement benefits.

3. Pursuant thereto, the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh vide Memo Dated 30-03-06, has informed the petitioner that since she has rendered less than the prescribed qualifying service of ten years, she was entitled to receive only the service gratuity as per Rule 46 read with Rule 45 (1) of the Andhra Pradesh Revised Pension Rules, 1980 and the benefit was already paid to her.

4. Aggrieved by the said orders, Smt.D.Sree Lakshmi, again represented before the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh and the Government to consider the period during which she worked on consolidated pay for calculating it as qualifying service.

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5. On the said representation, the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh, vide his letter Dated 27-09-2003, has informed the petitioner that the service rendered by her on consolidated pay from 24-03-1988 to 31-08-1992 cannot be taken into account for the purpose of qualifying service in the absence of specific orders by the Government relaxing the pension rules in her favour. The Government, vide Memo Dated 12-02-2004, while informing that there were no specific provisions in the pension rules for counting the service rendered on consolidated pay for the purpose of qualifying service and accordingly had rejected the petitioner's request for releasing the pensionary benefits.

6. Aggrieved by the said orders Smt.D.Sree Lakshmi has filed another W.P.No.14962/2006 before the High Court of Andhra Pradesh. The Hon'ble High Court in its orders Dated 19-01-2010, while setting aside the impugned order, disposed of the Writ Petition with a direction to the respondents to pass appropriate orders afresh with regard to the petitioners claim for pensionary benefits keeping in view the observations made therein. Such fresh order shall be passed as expeditiously as possible within a period of 4 weeks from the date of receipt of their orders.

7. While forwarding the representation of Smt.D.Sree Lakshmi, Dated 07-06-2010 and the orders of the Hon'ble High Court of Andhra Pradesh, Dated 19-01-2010, the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh has further requested the Government to pass suitable orders in the case.

8. In the circumstances reported by the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh and keeping in view the orders of the Hon'ble High Court of Andhra Pradesh, the Government after careful examination of the matter have decided to count the service rendered by the petitioner i.e., Smt D.Sree Laskshmi, from 24-03-1988 to 31-08-1992 as qualifying service for the purpose of pension, under Rule 13 & 14 of the A.P.Revised Pension Rules 1980.

9. Accordingly, the Vice Chairman & Managing Director, Sports Authority of Andhra Pradesh is requested to implement the orders of the Hon'ble High Court and sanction pension to the applicant duly counting the service rendered by the petitioner from 24-03-1988 to 31-08-1992 as qualifying service for the purpose of pension.

10. This order issues with the concurrence of Finance Department vide their U.O.No.832/139/A/Pen-II/10, dated 29-05-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.K.PARIDA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Vice Chairman and Managing Director,
Sports Authority of Andhra Pradesh,
Hyderabad.
The Individual.
Copy to:
The Finance Department.
SF/SC

//FORWARDED : BY ORDER//

SECTION OFFICER